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EXAMINER

SHANG, ANNAN Q

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 07/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/481,155

Applicant(s)

RODRIGUEZ ET AL.

Examiner

Annan Q Shang

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 10-14, 16-19, 21, 23-28 and 37-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-3, 10-14, 16-19, 21, 23-28 and 37-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/01-12-00.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 9, 11-14, 16, 37-50, 53 and 56-58, are rejected under 35 U.S.C. 102(e) as being anticipated by Burke **et al** (6,134,223).

As to claim 1, note the **Burke et al** reference figures 1 and 2, disclose videophone apparatus, method and system for audio and video conferencing and telephony, comprising the following:

the claimed "a cable television system headend..." is met by Primary Station (P-station) 105 and CATV Video Services (CATV) 102 (figs. 1-3, 13 and col. 3, line 58-col. 4, line 8 and lines 50-67), note that P-Station 105/102 forms a Cable Television System (CATV) headend, operative to control the routing of videophone calls within a CATV system;

the claimed "a plurality of subscriber terminals connected to said headend via a transmission medium..." is met by Video Access Apparatus (Vid-AA) 110, 150, 750 or 850 (col. 4, lines 29-50), note that Vid-AA 110-850 is a subscriber terminals located indoor or outdoor of Subscriber Premises 109n and connects to P-Station 105, which

provides audio and video telephony and conferencing services over a first communication channel 103, preferably, via Hybrid Fiber Coaxial Cable (HFC) "transmission medium," note further that the A/V signal via P-Station 105/102, includes video telephony "videophone" data and CATV or television data (col. 4, lines 50-67), where the Vid-AA 110-850 identifies, selects, transmits, and receives the video telephony data and the CATV or television data (col. 6, lines 24-50);

the claimed "a videophone unit operationally connected to one of said subscriber terminals..." is met by Videophone Apparatuses (V-Phone) 700n (figs. 3, 13 and col. 21, lines 7-35 and line 36+), note that Vid-AA 110-850 is connected to V-Phone 700 and adapted to exchange videophone data with Vid-AA 110-850;

the claimed "a camera associated with said videophone unit..." is met by Camera 230 or 720 (figs. 14, 15, col. 7, line 61-col. 8, line 7 and col. 22, lines 42-50) which is associated with V-Phone 700 and adapted to capture video images for transmission via medium 227 to V-Phone 700 display Monitor 715 "at least one display device" associated with V-Phone unit, which receives and displays a video portion of Videophone data; where V-Phone 700 is adapted to transmit and receive videophone signals over communication channel 103, via Hybrid Fiber Coaxial Cable (HFC) of the CATV system.

As to claim 2, Burke further discloses where the transmission medium is Hybrid Fiber Coaxial Cable (HFC) (col. 4, lines 50-57).

As to claim 9, Burke further discloses where Vid-AA 110-850 comprises cable modem (col. 4, lines 29-39), note that Vid-AA 110-850, is a cable modem since it

includes RF Modulator and Demodulator 205 (fig. 2) or RF Modulator 270 and RF Demodulator 275 (fig. 3), which transmits and receives Audio/Video data, which includes cable television "non-videophone" data and telephony "videophone" data, note that RF Modulator and Demodulator, performs function of a cable modem, modulating and demodulating cable television and telephony data receive from P-Station 105/102.

As to claim 11, Burke further discloses where P-Station 105/102 is coupled to PSTN or ISDN 140 via a high digital network to enable the videophone data to be transported between users in videophone system V-AA 110-850, and in the remote network 140 (col. 4, lines 46-67).

As to claim 12, Burke further discloses where a plurality of V-Phone 700n is connected to V-AA 750 (fig. 13 and col. 21, lines 7-19).

As to claim 13, Burke further discloses where V-Phone 700n is connected to V-AA 750 by ethernet, wireless Ethernet, firewire or universal serial bus (fig. 13 and col. 21, lines 7-19).

As to claim 14, Burke further discloses where V-Phone 700n is connected to V-AA 750 by ethernet, wireless Ethernet, firewire or universal serial bus, via a LAN (fig. 13 and col. 21, lines 7-19).

As to claim 16, Burke further discloses where the P-Station 105/102 is adapted to convert the Videophone data from format of a transmitting V-Phone 700n to format corresponding to a receiving V-Phone 700n, where the transmitting V-Phone transmits the Videophone data in a format different from the receiving V-Phone (col. 5, lines 31-52, col. 6, lines 10-50 and col. 21, line 60-col. 22, line 17), note that P-Station

105/102 uses Cable Access Signaling (CACS) using TDM for downstream, TDMA for upstream, and converts from one protocol to the other and reformats the data to appropriate network signal.

As to claim 37, note the **Burke et al** reference figures 1 and 2, disclose videophone apparatus, method and system for audio and video conferencing and telephony, comprising the following:

the claimed "a cable television system headend..." is met by Primary Station (P-station) 105 and CATV 102 (figs. 1-3, 13 and col. 3, line 58-col. 4, line 8 and lines 50-67), note that P-Station 105/102 forms a Cable Television System (CATV) headend, operative to control the routing of videophone calls within a CATV system;

the claimed "a plurality of subscriber terminals connected to said headend via a transmission medium..." is met by Video Access Apparatus (Vid-AA) 110, 150, 750 or 850 (col. 4, lines 29-50), note that Vid-AA 110-850 is a Set Top Terminals (STT) located indoor or outdoor of Subscriber Premises 109n and connects to P-Station 105/102, which provides audio and video telephony and conferencing services over a first communication channel 103, preferably, via Hybrid Fiber Coaxial Cable (HFC) "transmission medium," note further that the A/V signal via P-Station 105/102, includes video telephony "videophone" data and CATV or television data (col. 4, lines 50-67), where the Vid-AA 110 identifies, selects, transmits, and receives the video telephony data and the CATV or television data (col. 6, lines 24-50);

the claimed "a videophone unit operationally connected to one of said subscriber terminals..." is met by Videophone Apparatuses (V-Phone) 700n (figs. 3, 13 and col. 21,

lines 7-35 and line 36+), note that Vid-AA 110-850 is connected to V-Phone 700 and adapted to exchange videophone data with Vid-AA 110-850;

the claimed "a camera associated with said videophone unit..." is met by Camera 230 or 720 (figs. 14, 15, col. 7, line 61-col. 8, line 7 and col. 22, lines 42-50) which is associated with V-Phone 700 and adapted to capture video images for transmission via medium 227 to V-Phone 700 display Monitor 715 "at least one display device" associated with V-Phone unit, which receives and displays a video portion of Videophone data; where V-Phone 700 is adapted to transmit and receive videophone signals over communication channel 103, via Hybrid Fiber Coaxial Cable (HFC) of the CATV system.

As to claim 38, Burke further discloses where audio/video television data includes analog video, analog audio, digital video, digital audio, etc., (col. 6, lines 24-30 and col. 14, lines 5-27 and line 28+).

Claim 39 is met as previously discussed with respect to claim 13.

Claim 40 is met as previously discussed with respect to claim 12.

As to claim 41, note the **Burke et al** reference figures 1 and 2, disclose videophone apparatus, method and system for audio and video conferencing and telephony and further disclose a cable television system including a cable television system headend, the cable television system headend is operative to control the routing of videophone calls within the cable television system, a videophone system comprising the following:

the claimed "cable modem connected to said headend via a transmission medium..." is met by Video Access Apparatus (Vid-AA) 110, 150, 750 or 850 (col. 4, lines 29-50), note that Vid-AA 110-850, is a cable modem since it includes RF Modulator and Demodulator 205 (fig. 2) or RF Modulator 270 and RF Demodulator 275 which is adapted to transmit and receive Audio/Video data, which includes cable television "non-videophone" data and telephony "videophone" data "packetized digital data," note that RF Modulator and Demodulator, performs function of a cable modem, modulating and demodulating cable television and telephony data receive from Primary Station (P-Station) 105/102 via communication channel 103, preferably, via Hybrid Fiber Coaxial Cable (HFC) "transmission medium," (col. 4, lines 50-67), where Vid-AA 110-850 is adapted to identify, select, transmit, and receive the video telephony data and the CATV or television data (col. 6, lines 24-50); note further that P-Station 105/102 controls the routing of videophone calls receive via PSTN network 140 within the CATV system (col. 4, line 50-col. 5, line 30);

the claimed "a videophone unit operationally connected to one of said subscriber terminals..." is met by Videophone Apparatuses (V-Phone) 700n (figs. 3, 13 and col. 21, lines 7-35 and line 36+), note that Vid-AA 110-850 is connected V-Phone 700 and adapted to exchange videophone data with Vid-AA 110-850;

the claimed "a camera associated with said videophone unit..." is met by Camera 230 or 720 (figs. 14, 15, col. 7, line 61-col. 8, line 7 and col. 22, lines 42-50) which is associated with V-Phone 700 and adapted to capture video images for transmission via medium 227 to V-Phone 700 display Monitor 715 "at least one display device"

associated with V-Phone unit, which receives and displays a video portion of Videophone data; where V-Phone 700 is adapted to transmit and receive videophone signals over communication channel 103, via Hybrid Fiber Coaxial Cable (HFC) of the CATV system.

Claim 42 is met as previously discussed with respect to claim 38.

Claim 43 is met as previously discussed with respect to claim 13.

Claim 44 is met as previously discussed with respect to claim 9.

Claim 45 is met as previously discussed with respect to claim 21.

As to claim 46, note the **Burke et al** reference figures 1 and 2, disclose videophone apparatus, method and system for audio and video conferencing and telephony and further disclose a cable television system, including a headend, subscriber terminal and a first telephone unit, a method for transporting videophone data within a packetized cable television signal over a cable television system, comprising the steps of:

the claimed "transmitting outgoing videophone data from said first videophone unit to said subscriber terminal" is met by Videophone (V-Phone) 700 (figs. 3, 13, col. 21, lines 7-27), note the V-Phone 700 transmits outgoing videophone data from V-Phone 700-1 "first videophone unit" to Video Access Apparatus (V-AA) 110, 150, 750 or 850 "subscriber terminal" (col. 21, lines 36-67), note that V-AA 750 similar to V-AA 110, 150 or 850 discussed in figs 3-16;

The claimed "encoding said outgoing videophone data in said subscriber terminal and combining said encoded outgoing videophone data with said cable television

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signal," is met by V-AA 110-850, (figs. 3, 6, col. 10, lines 44-61, col. 13, line 62-col. 14, line 10 and lines 38-48), note that V-AA 110-850 includes Audio/Video Compression and Decompression Subsystem (A/V Subsystem) 265, which further includes DSP 365 and an Encoder 375 (fig. 6 and col. 14, lines 5-10), and when used for video conferencing and other bi-directional communications, V-AA 110-850 encodes the outgoing videophone data and combines the encoded outgoing videophone data with the cable television signal, transmits the cable television signal from V-AA 110-850 to Primary Station (P-station) 105 and CATV 102 (figs. 1, 13 and col. 3, line 58-col. 4, line 8), which forms a Cable Television System (CATV) (P-Station 105/102) headend; where Combiner 104, Control Unit (CCU) and Communication Controller 115 at P-Station 105/102 receives, processes and routes the cable television signal based on packet identification (col. 5, lines 31-52 and col. 7, lines 15-24), and routes the outgoing videophone data to a second videophone unit on the Network (col. 10, lines 44-68, col. 11, lines 13-23 and col. 21, lines 53-68); and

P-Station 105/102 and its various elements, further receives, processes and routes incoming videophone data from the second V-Phone Unit on the network, packetizes and transmits the incoming videophone data to V-AA 110-850, which receives and decodes the incoming videophone data (col. 7, line 53-col. 8, line 7, lines 26-50, col. 21, line 7-23 and lines 36-59), note that the video conferencing teaching discussed in figs. 3-9 is identical to the videophone conference discussed in figs 13-16.

As to claim 47, Burke further discloses where V-AA 110-850 transmits at least a portion of the incoming videophone data to Display 240 or Video Monitor 715 "display

device" operatively connected to V-AA 150 or 750 (figs. 3, 14, col. 10, line 14-27 and col. 22, lines 42-55).

As to claim 48, Burke further discloses transmitting the incoming videophone data from V-AA 750 to V-Phone 700 (col. 21, lines 7-23 and lines 36-59), note that the video conferencing teaching discussed in figs. 3-9 (col. 7, line 53-col. 8, line 7, lines 26-50) is identical to the videophone conference discussed in figs. 13 and 16.

As to claim 49, Burke further discloses transmitting from V-Phone 700-1 at least a portion of the incoming videophone data to Video Monitor 715, connected to V-Phone 700-1 for display (figs. 13, 14 and col. 21, lines 7-19 and lines 35-59) note that during video conferencing at least portion of incoming and outgoing videophone data are transmitted/received on display 715 via V-AA 750.

As to claim 50, Burke further discloses encoding the outgoing videophone data and decoding the incoming videophone data, including identifying an address for V-Phone 700-1 and address for V-Phone 700n (figs. 3, 6, col. 10, lines 44-61, col. 13, line 62-col. 14, line 10 and lines 38-48), note that V-AA 110-850 includes Audio/Video Compression and Decompression Subsystem (A/V Subsystem) 265, which further includes DSP 365 and an Encoder 375 (fig. 6 and col. 14, lines 5-10), and when used for video conferencing and other bi-directional communications, V-AA 110-850 encodes and decodes the outgoing and incoming videophone data, respectively and combines the encoded and decoded outgoing and incoming videophone data with the cable television signal, transmits the cable television signal from V-AA 110-850 to Primary Station (P-station) 105/102 via other V-Phone use on the network.

As to claim 53, Burke further discloses where the P-Station 105/102 transmits V-Phone application executable software to V-AA 150 or 750 (col. 13, lines 46-61 and col. 14, lines 19-27).

As to claim 56, Burke further discloses where the prioritizing in P-Station 105/102 transmits the outgoing videophone data from V-AA 110-850 to P-Station 105/102 and the incoming videophone data from P-Station 105/102 to V-AA 110-850, is done based on a type of videophone service and bandwidth of P-Station 105/102 (col. 5, lines 53-67, col. 6, line 51-col. 7, line 23), note that P-Station 105/102 assigns timeslots for channels based on users demand and a pool of available time slots.

As to claim 57, Burke further discloses where the cable television signal is packetized data stream (col. 5, lines 31-52).

Claim 58 is met as previously discussed with respect to claim 38.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3, is rejected under 35 U.S.C. 103(a) as being unpatentable over **Burke et al (6,134,223)** as applied claim 1 above, and in view of **Boursier et al (5,910,815)**.

As to claim 3, Burke teaches a videophone with video camera, but fails to explicitly teach a videophone with a digital video camera.

However, note **Boursier et al** reference figure 1, discloses a videophone with a

digital video camera (fig. 1 and col. 1, lines 28-44 and col. 2, line 66-col.3, line 25).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boursier into the system of Burke to provide a digital camera in the videophone and produce quality images.

5. Claims 17-19, 21, 23-28 and 59, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Burke et al (6,134,223)** in view of **Kobayashi (6,256,321)**.

As to claim 17, note the **Burke et al** reference figures 1 and 2, disclose videophone apparatus, method and system for audio and video conferencing and telephony and further disclose cable television system adapted to provide transport of videophone data, comprising the following:

the claimed "a cable television system headend..." is met by Primary Station (P-station) 105 (figs. 1-3, 13 and col. 3, line 58-col. 4, line 8 and lines 50-67), note that P-Station 105 is part of Cable Television System (CATV) headend, operative to control the routing of videophone calls within a CATV system, with a Hybrid Fiber Coaxial Cable (HFC) "transmission medium," of the CATV network, which connects to a plurality a plurality of Video Access Apparatus (Vid-AA) 110n, 150n or 750n (col. 4, lines 29-39), note Vid-AA 110n, 150n or 750n is a plurality of subscriber terminals located indoor or outdoor of Subscriber Premises 109n, where Vid-AA 110n, 150n or 750n is coupled to Videophone Apparatuses (V-Phone) 700n (figs. 3, 13 and col. 21, lines 7-35 and line 36+), where "packetized data stream" containing a videophone data and Audio/Video or

television signals is transported over CATV system (col. 4, lines 50-67 and col. 6, lines 24-50).

Burke, further teaches, branching points to a plurality of Vid-AA 110n, 150n or 750n in various subscriber premises 109n, but fails to explicitly teach hubs and nodes between the Head-end and the plurality of Vid-AA 110n, 150n or 750n.

However, note the **Kobayashi** reference figure 3, discloses CATV system, with a Head-end 10 coupled to a plurality of Distribution Hubs (D/H) 30a to 30c, a plurality of Fiber Nodes (F/N) 50a-50c and a plurality of Converters and Information Devices (PCB) 70b1-70b3 (fig. 3 and col. 8, line 57-col. 9, line 22).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Kobayashi into the system of Burke to expand services to plurality of geographical areas or wide area networks.

As to claim 18, Burke further discloses where P-Station 105/102 comprises Local Digital Switch (LDS) "a backbone switch," a Communications Controller 125, which transmits and receives TDM signals, via the Network Interface 130 "a receiver", to and from LDS 130 connected to PSTN or ISDN 140 (col. 5, lines 1-30), note that the claimed "a router, a gateway and controller..." are met by Cable Control Unit (CCU) 115 and application server is inherently to P-Station 105/102, each connected to LDS, where P-Station 105/102 modulators and demodulates signals received.

As to claims 19 and 24, Burke, fails to explicitly teach hubs comprise: an interface device coupled to the backbone switch of the headend; a gateway and

modulator operatively coupled to the interface and a demodulator coupled to the modulator and plurality of nodes.

However, Kobayashi further teaches a plurality of Distribution Hubs (D/H) 30a to 30c, with ATM HAB "interface device" provides services to a LAN, and coupled to ATM Router 11 and Circuit Switching Device 16 "a switch" of Head end 10, a Multiplex Converting Device 33c "a gateway" and Modulator 151 of SCS 32a (fig. 9A) coupled to ATM HAB interface and a Demodulator 104a of SCS 32a coupled to Modulator 151 and the plurality of F/N 50a-50c nodes.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Kobayashi into the system of Burke to provide a plurality of hubs with the various elements, such as modulators, demodulators, etc., which performs various functions which enables transmitting/receiving of data to/from various users in regional areas and expand the network accordingly.

Claim 21 is met as previously discussed with respect to claim 14.

As to claim 23, Burke further discloses where P-Station 105/102 is communication with V-AA 110-850 "external videophone system" via PSTN or ISDN 140, a high speed digital network and HFC system enabling the videophone data to be transported between users in videophone system V-AA 110-850, and in the external network 140 (col. 4, lines 46-67).

Claim 25 is met as previously discussed with respect to claim 2.

Claim 26 is met as previously discussed with respect to claim 3.

As to claim 27, Burke fails to explicitly teach integrating V-Phone 700 into V-AA 110-850.

However, since Burke teaches integrating a Camera into a telephone to form V-Phone 700, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Burke to integrate the videophone into the subscriber terminal as a unit for easy manufacturing.

Claim 28 is met as previously discussed with respect to claim 13.

Claim 59 is met as previously discussed with respect to claim 38.

6. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Burke et al (6,134,223)** as applied to claim 50 above, and in view of **Sonesh et al (6,614,783)**.

As to claim 51, Burke fails to explicitly teach where the addresses are Internet Protocol addresses.

However, **Sonesh** teaches a distribution system using Internet/PSTN call routing where addresses are IP addresses (fig. 1 and col. 11, lines 13-22).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Sonesh into the system of Burke to provide IP addresses and expand the network by offering Internet services which covers a WAN.

7. Claims 52 and 54, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Burke et al (6,134,223)** as applied to claim 46 above, and in view of **Reeder (6,141,652)**.

As to claims 52 and 54, Burke fails to explicitly teach encrypting the outgoing videophone data and decrypting the incoming videophone data and creating in the headend billing records.

However, **Reeder** further teaches encrypting the outgoing videophone data and decrypting the incoming videophone data (col. 6, lines 5-26, lines 46-59 and col. 7, line 58-col. 8, line 27) and creating billing records at Station 200 (fig. 1 and col. 4, lines 54-63).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Reeder into the system of Burke to provide security to the system and store billing information of each videophone user, and bill each user according for a time or duration spent on the V-Phone.

8. Claim 55, is rejected under 35 U.S.C. 103(a) as being unpatentable over **Burke et al (6,134,223)** as applied to claim 46 above, and in view of **Ejiri (5,930,451)**.

As claim 55, Burke further teaches encoding/decoding and multiplexing/demultiplexing the outgoing/incoming videophone data in additional to the cable television data into a transport stream using CACS as discussed above with respect to claim 46, but fails to explicitly teach MPEG transport stream.

However, **Ejiri** teaches a videophone system which encodes/decodes and multiplexes/demultiplexes the outgoing/incoming videophone data and cable television data using MPEG transport stream.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of **Ejiri** into the system of **Burke**, and thus provide MPEG transport streams that conform to standards, and are further advantages in that they preserve the quality of the original signal, are easy archived, can be rapidly distributed, etc.,

9. Claim 10, is rejected under 35 U.S.C. 103(a) as being unpatentable over **Burke et al (6,134,223)** as applied claim 1 above, and in view of **Davidsohn et al (5,724,092)** and further in view **Boursier et al (5,910,815)**.

As to claim 10, **Burke** fails to explicitly teach a graphical user interface operable via a remote control for enabling a user of V-Phone system to place and receive videophone calls.

However, **Davidsohn** teaches a videophone with a GUI that enables a user to place phone calls for services (fig. 1, col. 4, lines 13-27, line 64-col. 5, line 55).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of **Davidsohn** into the system of **Burke** to provide a GUI, which enable the user to interact to receive services.

Burke as modified by **Davidsohn** fails to explicitly teach a remote control for enabling the user of V-Phone to place and receive videophone calls.

However, **Boursier** teaches a videophone system and a remote control 17 that enables the user to place and receive videophone calls.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of Boursier into the system of Burkke as modified by Davidsohn to provide a remote control that enables the user to place and receive calls remotely from the subscriber terminal.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Berkley et al (6,546,005) disclose active registry.

Wright (6,484,317) discloses method for routing data messages through a cable transmission system.

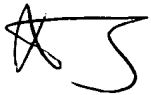
Ansari et al (6,288,742) disclose video camera including multiple image sensors.

Gotoh et al (5,966,164) disclose television telephone.


11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Annan Q Shang** whose telephone number is **703-305-2156**. The examiner can normally be reached on **700am-500pm**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John W Miller** can be reached on **703-305-4795**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

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